

# Fraser & Co's Property Licensing Explained.



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# What are the types of Property Licenses?

**01** Mandatory HMO

**02** Additional Licensing

**03** Selective Licensing

FRASER & CO | PROPERTY LICENSING EXPLAINED



# Mandatory HMO.

## What is a HMO?

The first thing you need to decide is whether your property is a House in Multiple Occupation (HMO). As a simple rule of thumb, an HMO is any property (house of flat) occupied by three or more people comprising two or more households who share facilities (kitchen, bathroom and/or toilet) and occupy the property as their only or main residence, even if they are all friends and occupy the property on a single tenancy. More easy accessible advice can be found on here [Gov.uk](#)

## Do you need HMO License?

After you have established that your property is an HMO but are now unsure whether it needs a licence. It is important to know there are three types of licensing that operate in England.

Mandatory HMO licensing applies throughout England, additional and selective licensing schemes only apply in certain areas. If you live in London, you can search to check what schemes apply in your borough. Elsewhere in the country, you will need to contact your local council.

Mandatory HMO licensing does not apply to all HMOs. It is restricted to certain larger properties under Part II of the Housing Act 2004 – an estimated 220,000+ properties.

## Applying

If you find your property needs licensing, you will need to submit a licence application to your local council using their prescribed application process. Councils usually ask for a floorplan of the property and various supporting documentation. You will also need to pay an application fee and the licence will be issued for up to five years.

This can be time consuming and we understand how important your time is, so we offer a property licensing application service. Detail on how to **apply** are below.



## Apply with us

Contact our team today to request your property license application. Call 0207 723 5645 Email us on [Info@fraser.uk.com](mailto:Info@fraser.uk.com) or scan the QR



# Additional Licensing.

## What is additional licensing?

With over half of London Boroughs operating additional licensing schemes (as of November 2020) and more schemes being developed, this is something all landlords and letting agents need to be aware of. It is important to know that each council has the power to introduce an additional licensing scheme. Additional licensing applies to certain Houses in Multiple Occupation (HMOs)

## Which HMOs need this?

That will depend on exactly how your local council has drafted the scheme designation. Some schemes cover the whole borough whereas others cover smaller geographical areas.

Each council will decide what type of HMOs need a licence within the designated area. For example, Newham Council has included all HMOs within its additional licensing scheme. In contrast, the additional licensing scheme in Ealing excludes HMOs occupied by three people unless in a mixed use commercial / residential building.

If your property is in London, we've done all the hard work for you! As of November 2020, there are additional licensing schemes in Barnet, Brent, Camden, Ealing, Enfield, Greenwich, Hackney, Hammersmith & Fulham, Haringey, Harrow, Havering, Hounslow, Kingston upon Thames, Lewisham, Newham, Redbridge, Southwark, Tower Hamlets & Waltham Forest.

# Additional Licensing Exemptions.

## You do not need a additional license if:

- ▶ The property is an HMO that already requires a licence under the mandatory HMO licensing scheme.
- ▶ The property is managed a local housing authority, registered social landlord, police or fire & rescue authority or a health service body
- ▶ The property is occupied principally for the purposes of a religious community whose principle occupation is prayer
- ▶ The property is subject to an Interim or Final Management Order (i.e. the council have taken over the management of the property)
- ▶ The property is already regulated under certain other statutory provisions
- ▶ The property is owner occupied with no more than two lodgers
- ▶ The property is covered by a temporary exemption notice.
- ▶ The property falls within an exemption applying to certain student halls of residence
- ▶ The property is occupied by just two people who form two households.

## Applying

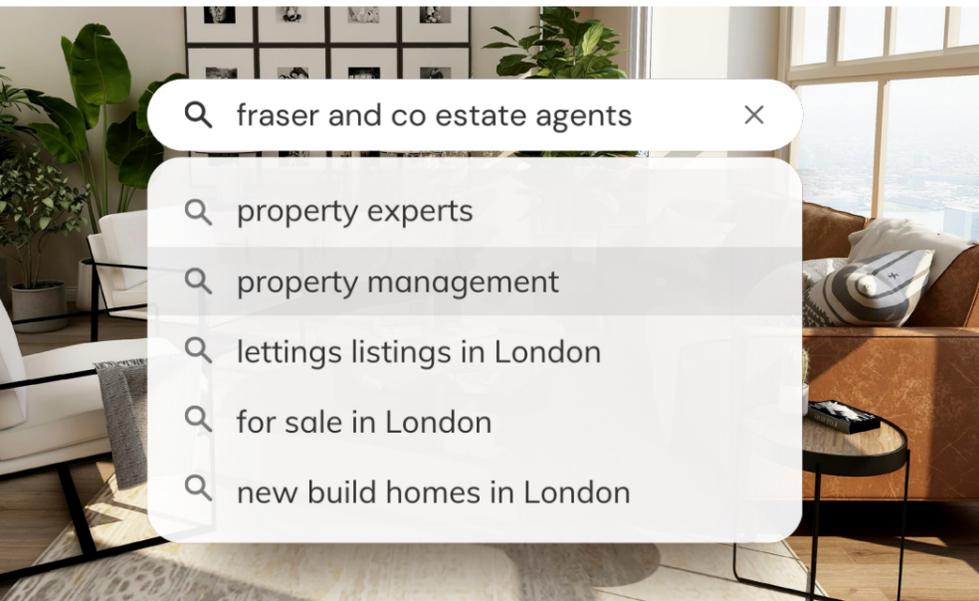
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# Selective Licensing Explained.

# Selective Licensing Exemptions.

## What is a selective licensing?

Much depends on where your property is located. Whilst mandatory HMO licensing and additional licensing are restricted to certain HMOs, local authorities can implement selective licensing schemes that apply to all private rented properties within a defined area. With over a third of London Boroughs operating selective licensing schemes (as of November 2020) and more schemes being developed, this is something all landlords and letting agents need to be aware of.

## What properties require the selective licensing scheme?

It depends on exactly how the council has drafted the scheme designation. Some schemes cover the whole borough whereas others cover smaller geographical areas. The size of selective licensing schemes can vary considerably. For example, in Barking & Dagenham the scheme applies borough wide, in Ealing the scheme applies in five council wards and in Hammersmith and Fulham the scheme applies to 100+ streets scattered across the borough.

## What councils have introduced selective licensing?

There is no central directory of property licensing schemes so you will need to contact your local council to find out.

If your property is in London, we've done all the hard work for you! As of November 2020, there are selective licensing schemes in Barking & Dagenham, Bexley, Brent, Ealing, Hackney, Hammersmith & Fulham, Harrow, Newham, Redbridge, Southwark, Tower Hamlets & Waltham Forest.

## You do not need an selective license if:

- ▶ The property is an HMO that already requires a licence under the mandatory HMO licensing scheme.
- ▶ The tenancy or licence has been granted by a registered social landlord under Part I of the Housing Act 1996;
- ▶ The property is subject to an Interim or Final Management Order under Part 4 of the Housing Act 2004
- ▶ The property is covered by a temporary exemption notice
- ▶ The property is occupied under an exempt tenancy or licence
- ▶ The property falls within an exemption applying to certain student halls of residence
- ▶ Any property subject to a housing prohibition order.
- ▶ Certain tenancies associated with business premises, Licensing Act 2003 premises, agricultural land or agricultural holdings.
- ▶ Buildings managed by a local housing authority, police or fire & rescue authority or a health service body

Some examples of exempt tenancies:

## Applying

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